

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

MONSANTO COMPANY and
MONSANTO TECHNOLOGY LLC,

Plaintiffs,

vs.

E.I. DUPONT DE NEMOURS AND
COMPANY and
PIONEER HI-BRED INTERNATIONAL,
INC.,

Defendants.

Case No. 4:09-cv-00686-ERW

CONSENT MOTION FOR EXTENSION OF TIME

Plaintiffs, Monsanto Company and Monsanto Technology LLC (collectively “Monsanto”), respectfully move for a four-day extension of time, to and including Friday June 10, 2011, within which Monsanto shall file and serve Monsanto’s Memorandum in Support of Its Ninth Motion to Compel and Monsanto’s Opposition to DuPont’s and Pioneer’s Cross-Motion to Compel (“Monsanto’s Responsive Brief”).

In support of this motion, Monsanto states that Defendants filed and served their Cross-Motion to Compel (Dkt. 767), together with their Memorandum in Opposition to Monsanto's Ninth Motion to Compel and In Support of DuPont's and Pioneer's Cross-Motion to Compel ("Defendants' Memorandum") (Dkt. 769), with certain exhibits, on May 27, 2011. Due to technical difficulties, Defendants were unable to file and serve Exhibits 2 and 3 to Defendants' Memorandum until May 31, 2011 (Dkt. 770 and 771).

Counsel for the parties agree that the time for Monsanto to file and serve Monsanto's Responsive Brief to Defendants' Memorandum should run from May 31, 2011 when Defendants' filing was completed, so that Monsanto's Responsive Brief would be due on June

10, 2011. Because Exhibits 2 and 3 are necessary in order for Monsanto to prepare its Responsive Brief, Monsanto requests an extension to June 10 within which to file its Responsive Brief. The requested extension is not being advanced for purposes of unnecessary delay, and the requested extension will not impact on the scheduling of this matter. Counsel for Monsanto has conferred with counsel for Defendants, who have consented to the requested response date of June 10, 2011.

Dated: June 3, 2011

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 3rd day of June, 2011 the foregoing was filed electronically with the Clerk of the Court for the United States District Court Eastern District of Missouri, Eastern Division, and served by operation of that Court's electronic filing system upon the following counsel of record:

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